

REMARKS

By this Amendment, claims 26 and 38 are amended and claims 42-43 are added.

Accordingly, claims 26-43 are pending. No new matter is added.

The courtesies extended to Applicants' representatives by Examiners Weiss and Thai at the interview held February 22, 2006, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

The Office Action rejects claims 26-41 under 35 U.S.C. §102(e) over a website, www.myDCmail.com. This rejection is respectfully traversed.

As discussed during the February 22 personal interview, Applicant has an October 12, 2001 U.S. filing date and is entitled to an effective U.S. filing date of October 13, 2000, the date of Applicant's priority U.S. provisional application No. 60/239,894.

As discussed and agreed to during the personal interview, the www.myDCmail.com website does not constitute prior art under any provision of 35 U.S.C. §102. Similarly, the cited but not applied website www.myUS.com also does not constitute prior art. In particular, the Examiners agreed that the Wayback Machine could not identify any documented publications from either site prior to Applicant's effective October 13, 2000 U.S. filing date. Thus, the rejection is improper and must be withdrawn.

Claims 26-41 provide an apparatus and method that assign a unique and dynamic code to a subscriber and allow the subscriber to dynamically control the processing of the mail/parcel at one or more processing facilities. This is achieved through stored and dynamically changeable informational datasets that include delivery or handling instructions. This control of the processing enables the subscriber to control not only the final destination location, but also, for example, the route of travel (path the mail/parcel takes), how the

mail/parcel will arrive (courier or post, etc.), and when it arrives (hold for pickup, send by express courier, etc.).

As discussed and agreed to during the personal interview, both websites relate to conventional mail forwarding services. What both MyDCMail and MyUS are doing is covered in Applicant's background and has been found wanting. Neither operation is practicing anything close to a system implementing UVDCA code addressing, as each is merely a mail/parcel receiving and forwarding operation (RFO). Applicant's background describes the many shortcomings of RFOs, which are based on a legacy addressing model. One specific conventional RFO described in the background is Mail Boxes Etc® (MBE®).

MBE® was acquired by United Parcel Services (UPS®) in 2001 and re-branded to The UPS Store®. The applied reference, MyDCmail, is the web presence of such a UPS Store and boasts an exclusive physical location (Massachusetts Ave.) with no hint whatsoever about anything remotely related to being virtual or having unique addressing codes, let alone having the capability to dynamically enable the owners of their mailboxes to specify when a package was to be delivered, how it was to be delivered and where, given that one of these owners didn't want a package to be delivered to Massachusetts Ave.

However, the claimed UVDCA system and method are capable of enrolling and enabling access by thousands of enrolled or registered facilities distributed anywhere so that the owner of a UVDCA code may have control over their packages from the moment they are in the UVDCA system until the (last) UVDCA-aware delivery person makes delivery. This allows dynamic change of the routing, delivery method and timing without being constrained by a fixed physical delivery address (Massachusetts Avenue) as in MyDCmail.

As requested by the Examiners, minor clarifying changes are made to independent claims 26 and 38. These changes are not believed to narrow the scope of the claims, but instead are merely clarifying changes.

During the personal interview, Examiners Weiss and Thai agreed, subject to further updated search, that independent claims 16 and 38 distinguish over the prior art and are allowable. Dependent claims 17-37 and 39-41 are thus also allowable. Accordingly, withdrawal of the rejection is respectfully requested.

New dependent claims 42-43 are added. These claims are allowable for their dependence on allowable base claims and for the additional features recited therein.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 26-43 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Edward P. Walker
Registration No. 31,450

Stephen P. Catlin
Registration No. 36,101

EPW:SPC/sc

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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